

THURSDAY, MARCH 2, 1989

FIFTEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Robert W. Bradford, Dry Fork Church of Christ, Horse Cave, Kentucky.

Representative Paul Starnes led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Cain was excused because of an out-of-town business meeting.

REGULAR CALENDAR

*House Bill No. 0629 -- Drivers' Licenses -- Mandates suspension of juvenile's driving privileges under certain circumstances; permits restricted licenses in hardship cases. Amends TCA, Title 49, Ch. 6, Pts. 3, 4; Title 55, Ch. 10.

Rep. Naifeh moved that House Bill No. 629 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 629 by deleting from the second sentence of Section 2(a), the word "transportation".

On motion, Amendment No. 1 was adopted.

Rep. Copeland moved to amend as follows:

Amendment No. 2

Amend House Bill No. 629 by designating the language of Section 10 as Subsection "10(b)"; by redesignating the language of Section 9 as Subsection "10(a)"; and by inserting the following new language, to be designated as Section 9:

SECTION 9.

(a) Tennessee Code Annotated, Section 49-6-3001(c)(1), is amended by deleting the words, symbols, and figures "sixteen (16) years" and by substituting instead the following:

"eighteen (18) years".

(b) Tennessee Code Annotated, Section 49-6-3005(a), is amended by deleting the words, symbols, and figures "sixteen (16) years" and by substituting instead the following:

"eighteen (18) years".

(c) (1) Notwithstanding the provisions of any law to the contrary, if a child drops out of school and therefore does not comply with attendance requirements set forth in Tennessee Code Annotated, Sections 49-6-3001 and 49-6-3005, then all driving privileges of the child shall be denied or suspended. The chief

administrator of each public or private school within the state shall notify the department of safety, on forms provided by the department, whenever a child drops out of school and is therefore in noncompliance with attendance requirements set forth in Tennessee Code Annotated, Sections 49-6-3001 and 49-6-3005. Upon receiving such notification or upon otherwise determining that a child has dropped out of school, the department of safety shall notify the child that, in thirty (30) days, all driving privileges of the child will be denied or suspended until such time as the child demonstrates to the department compliance with the requirements of Sections 49-6-3001 and 49-6-3005.

(2) (A) In accordance with the provisions of the Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5, the department of safety, acting in consultation with the department of education, shall promulgate such rules as shall be necessary to implement and enforce the provisions of this section in an efficient and effective manner. Such rules shall include, but shall not be limited to, policies and procedures whereby school enrollment of drivers under the age of eighteen (18) years will be randomly verified in order to assure compliance with the provisions of this act.

(B) Any child who is aggrieved by implementation or enforcement of the provisions of this section may request a hearing, to be conducted as a contested case in accordance with the provisions of the Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

(3) No action to collect civil damages may be instituted against the chief administrator of a school, the agent of such administrator, or any other person, regarding reports filed with the department of safety pursuant to this section, unless evidence clearly demonstrates that the administrator, agent, or person acted in bad faith or was recklessly negligent.

AND FURTHER AMEND by deleting the effective section and by substituting instead the following:

Sections 10(a), 12 and 13 and any other provisions of this act involving the promulgation of rules or regulations shall take effect June 1, 1989 the public welfare requiring it. Section 9 shall take effect on February 1, 1990. All other provisions of this act shall take effect October 1, 1989.

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Rep. Naifeh moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 55 |
| Noes. | 43 |

Representatives voting aye were: Armstrong, Bell, Bivens, Bragg, Buck, Burnett, Byrd, Clark, Collier, Crain, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Hawkins, Head, Herron, Hillis, Hobbs, Holt, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, Miller, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Stallings, Starnes, Turner (Hamilton), West, Wheeler, Williams, Wix, Yelton, Mr. Speaker Murray -- 55.

Representatives voting no were: Anderson, Bittle, Callicott, Chiles, Coffey, Copeland, Cross, Davis (Cocke), Davis (Knox), Duer, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Holcomb, Hubbard, Huskey, Kent, McAfee, McDaniel, Moody, Moore (Shelby), Niceley, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Whitson, Winningham, Wolfe, Wood -- 43.

ANNOUNCEMENTS

The Speaker announced that, because of technical difficulties, we would proceed with the remaining items in the Order of Business, then resume with the Calendars.

SELECT COMMITTEE APPOINTMENTS

Pursuant to TCA Title 3, Ch. 15, the House has four members each from the Education and Finance, Ways and Means Committees on the Select Oversight Committee on Education.

The Speaker announced that the following members had been appointed to serve: Representatives C.B. Robinson, Starnes, Whitson and Davidson from the Education Committee; Representatives Bragg, Clark, Copeland and Rhinehart from the Finance, Ways and Means Committee.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0134 -- Memorials, Condolence -- Honors memory of Eleanor June Cosby Boyd. by *Dixon.

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The Speaker referred House Joint Resolution No. 134 to the Calendar and Rules Committee.

House Joint Resolution No. 0135 -- Memorials, Condolence -- Honors memory of Nathaniel Rozelle. by *Dixon.

The Speaker referred House Joint Resolution No. 135 to the Calendar and Rule Committee.

House Joint Resolution No. 0136 -- Memorials, Public Service -- Commends Joseph E. Armstrong for his dedicated service to Knox County. by *DeBerry, *King, *Love, *Pruitt, *Dixon, *Jones U, *Turner L, *Jones R, *Robinson C B.

The Speaker referred House Joint Resolution No. 136 to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0103 -- Memorials, Personal Achievement -- Honors Juli A. Mosley.

The Speaker referred Senate Joint Resolution No. 103 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 1440 -- Jackson -- Authorizes Jackson-Madison County Hospital to provide home health care services. Amends Chapter 686, Private Acts of 1949, as amended. by *Kisber, *Sipes.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 0113 -- Wills, Trusts -- Clarifies certain provisions relative to wills and trusts and recording of certain trust agreements, summaries or abstracts. Amends TCA 26-4-101, 32-1-112, 113, 32-3-105, 66-24-101.

Held on the Clerk's desk pending third consideration of companion House Bill No. 79.

Senate Bill No. 0207 -- Advertising -- Permits variance in placement of outdoor advertising. Amends TCA 54-21-116.

Held on the Clerk's desk pending third consideration of companion House Bill No. 423.

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Senate Bill No. 0282 -- Garnishments and Executions -- Deletes certain exemptions from execution and garnishment. Amends TCA 26-2-107, 26-2-216.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1335.

Senate Bill No. 0719 -- Insurance, Fire and Casualty -- Extends protection to improvement of structures when applying for loan. Amends TCA 56-8-106.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1041.

Senate Bill No. 0857 -- Nuclear Materials, Transportation and Safety -- Establishes notification requirement and fees on shipments of spent nuclear fuel. Amends TCA, Title 65, Ch. 15.

Held on the Clerk's desk pending third consideration of companion House Bill No. 472.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1435 -- Decherd -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1436 -- Hazardous Materials -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 1437 -- Alcoa -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1438 -- State Prisoners -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 1439 -- Manchester -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

MOTION TO RECESS

The Speaker announced that the House would stand in a brief recess, without objection.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Murray.

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On motion of Rep. Crain, the roll call was dispensed with.

REGULAR CALENDAR, CONTINUED

Thereupon, Rep. Naifeh moved that House Bill No. 629, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 1 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

Representatives voting no were: Turner, L. (Shelby) -- 1.

A motion to reconsider was tabled.

House Bill No. 0471 -- Insurance, Health, Accident -- Requires fiscal review committee to prepare impact statement on certain bills concerning health insurance coverage. Amends TCA, Title 3, Ch. 2, Pt. 1.

Rep. Rhinehart moved that House Bill No. 471 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

Amendment No. 1

Amend House Bill No. 471 by deleting Section 3 in its entirety and

by deleting the words "on July 1, 1989" in Section 5 and substituting the words "upon passage"

On motion, Amendment No. 1 was adopted.

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Thereupon, Rep. Rhinehart moved that House Bill No. 471, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

***House Bill No. 0064 -- Taxes, Alcoholic Beverages --**
Establishes tax on sale of low alcohol distilled spirits products.
Amends TCA 57-3-302.

Rep. Rhinehart moved passage of House Bill No. 64 on third and final consideration, which motion failed by the following vote:

| | |
|---------------------------------|----|
| Ayes. | 24 |
| Noes. | 61 |
| Present and not voting. | 7 |

Representatives voting aye were: Armstrong, Bell, Bragg, Burnett, Davis (Knox), DeBerry, DePriest, Ellis, Gaia, Head, Hillis, Jones, R. (Shelby), Kernell, Kisber, Naifeh, Phillips, Rhinehart, Turner (Hamilton), Turner, L. (Shelby), Whitson, Williams, Winningham, Wix, Mr. Speaker Murray -- 24.

Representatives voting no were: Anderson, Bittle, Bivens, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Dixon, Duer, Garrett, Givens, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Niceley, Nuber, Odom, Peroulas, Pinion, Purcell, Ridgeway, Robinson (Washington), Scruggs, Severance,

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Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), West, Wheeler, Wolfe, Wood, Yelton -- 61.

Representatives present and not voting were: Buck, Good, King, Love, Miller, Robinson (Hamilton), Webb -- 7.

Pursuant to Rule No. 63, the Speaker announced that having received a constitutional majority in the negative, a motion was in order to reject House Bill No. 64.

Rep. Wood moved that House Bill No. 64, having received a constitutional majority in the negative, be rejected. Thereupon, the Speaker directed the Clerk to place the bill at the heel of the regular calendar set for Monday, March 6, 1989.

*House Bill No. 0651 -- Taxes, Inheritance Gift -- Allows commissioner to grant extra time in filing gift tax return with interest added until date paid. Amends TCA 67-8-110.

Rep. Bragg moved that House Bill No. 651 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 93 |
| Noes. | 1 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Hoyt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Moody -- 1.

A motion to reconsider was tabled.

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No. 64 and have this statement entered in the Journal.

Rep. Zane Whitson

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 651 and have this statement entered in the Journal.

Rep. Tom Wheeler

REGULAR CALENDAR, CONTINUED

*House Bill No. 0254 -- Public Records -- Makes capital plans, marketing information, proprietary information and trade secrets submitted to Tennessee venture capital network at Middle Tennessee State University confidential. Amends TCA 10-7-504.

Rep. Bragg moved that House Bill No. 254 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

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House Bill No. 0711 -- Taxes, Alcoholic Beverages -- Authorizes beer wholesalers to increase beer prices during posting period in amount not more than any increase in certain excise taxes. Amends TCA 57-6-104.

On motion, House Bill No. 711 was made to conform with Senate Bill No. 294.

On motion, **Senate Bill No. 294**, on same subject, was substituted for House Bill No. 711.

Rep. Bragg moved that Senate Bill No. 294 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to present and not voting on Senate Bill No. 294 and have this statement entered in the Journal.

Rep. Philip Pinion

REGULAR CALENDAR, CONTINUED

***House Bill No. 0067 -- Telecommunications --** Corrects unintended inequity in the funding of E-911 emergency communication districts. Amends TCA 7-86-108.

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On motion, House Bill No. 67 was made to conform with Senate Bill No. 90.

On motion, Senate Bill No. 90, on same subject, was substituted for House Bill No. 67.

Rep. Starnes moved that Senate Bill No. 90 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 2 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Niceley, Shirley -- 2.

A motion to reconsider was tabled.

*House Bill No. 0641 -- Day Care -- Designates day care centers as before and after school care programs; grants student teachers assigned to such programs same protection of law as licensed teacher. Amends TCA 49-2-203, 49-5-403, 49-5-5209.

Rep. Davidson moved that House Bill No. 641 be passed on third and final consideration.

Rep. Davidson moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 641 by deleting the amendatory language of Section 1 and by substituting instead the following:
(b)(11)

(A) To establish and operate before-and-after school care programs in connection with any schools, before and after the regular school day and while school is not in session. No Tennessee Foundation Program school funds or any required local matching funds shall be used in connection with the operation of these programs, but the board may charge a fee of any child attending a before-and-after school care program. In these programs, the board may use teachers on such extended program assignments as may be authorized by Section 49-5-5209 and policies established pursuant thereto.

(B) Notwithstanding the provisions of any law to the contrary, with respect to all before-and-after school care programs and day care programs regulated by the department of education, the department shall:

(i) enforce departmental standards which are identical to the licensing standards developed by the department of human services for before-and-after school care programs and day care programs respectively;

(ii) perform on-site inspections of such programs no less frequently than on-site inspections of before-and-after school care programs and day care programs are respectively performed by the department of human services;

(iii) require departmental employees who conduct on-site inspections of such programs to periodically participate in the training activities conducted by the department of human services for inspectors of day care programs; and

(iv) not issue a waiver for any before-and-after school care program or day care program which fails to comply with departmental standards.

AND FURTHER AMEND by inserting the following language as a new section immediately preceding the effective date section and by appropriately renumbering the effective date section:

If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 1 was adopted.

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Thereupon, Rep. Davidson moved that House Bill No. 641, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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|---------------|----|
| Ayes. | 90 |
| Noes. | 3 |

Representatives voting aye were: Anderson, Bell, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

Representatives voting no were: Holcomb, Moody, Purcell -- 3.

A motion to reconsider was tabled.

House Bill No. 0060 -- Zoning -- Revises notice period for certain zoning hearings. Amends TCA 13-7-105.

Rep. Holt moved that House Bill No. 60 be passed on third and final consideration.

Rep. Holt moved to amend as follows:

Amendment No. 1

Amend House Bill No. 60 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-7-105, is amended by designating the first sentence as subsection (a), and by deleting the second sentence and substituting instead the following:

(b)(1) Except as provided in subdivision (2), before finally adopting any such amendment, the county legislative body shall hold a public hearing thereon,

at least thirty (30) days' notice of the time and place of which shall be given by at least one (1) publication in a newspaper of general circulation in the county; and any such amendment shall be published at least once in the official newspaper of the county or in a newspaper of general circulation in the county.

(2) In any county having a population of not less than thirty-four thousand six hundred (34,600) nor more than thirty-four thousand seven hundred (34,700) according to the 1980 federal census, or any subsequent federal census, before adopting any such amendment, the county legislative body shall hold a public hearing thereon, at least fifteen (15) days' notice of the time and place of which shall be given by at least one (1) publication in a newspaper of general circulation in such county; and any such amendment shall be published at least once in the official newspaper of such county or in a newspaper of general circulation in such county.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Holt moved that House Bill No. 60, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Niceley, Nuber, Odom, Peroulas, Phillips, Rinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

THURSDAY, MARCH 2, 1989 -- FIFTEENTH LEGISLATIVE DAY

House Bill No. 0423 -- Advertising -- Permits variance in placement of outdoor advertising. Amends TCA 54-21-116.

On motion, House Bill No. 423 was made to conform with Senate Bill No. 207.

On motion, Senate Bill No. 207, on same subject, was substituted for House Bill No. 423.

Rep. Head moved that Senate Bill No. 207 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

AMEND Senate Bill No. 207 by deleting from Section 1 all of the directory language and the following amendatory language from the first sentence:

() Notwithstanding any provision to the contrary in subsection (a) the commissioner is authorized,

and by substituting instead the following language:

Tennessee Code Annotated, Section 54-21-116, is amended by adding a new subsection (d) to read as follows:

(d) The commissioner is authorized to execute a modification of the agreement signed on or about November 11, 1971.

AND FURTHER AMEND by deleting from the amendatory language of Section 1 subdivisions (1), (2), and (3).

On motion, Amendment No. 1 was adopted.

Rep. Henry (Roane) moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 207 by adding the following language at the end of Section 1:

(1) Provided however, if the commissioner of transportation is formally notified by the appropriate federal offices of the U. S. department of transportation

that as a result of any provision of this subsection, Tennessee will lose federal funds or if a loss of federal funds occurs, then such provision shall be void and inoperative.

(2) If the provisions of this act are found to be void and inoperative, or if notice is received from the U. S. department of transportation as provided in subdivision (1), then any outdoor advertising placed pursuant to the provisions of the act shall be removed immediately by and at the expense of the owner. Failure to remove such outdoor advertising shall render the sign a public nuisance and the provisions of Tennessee Code Annotated, Section 54-21-105, shall apply. Nothing in this act shall be construed to grant an absolute right in the placement of any such sign or make the state in any way liable under the provisions of this act, if this act is found in violation of any federal regulations as provided in subdivision (1).

(3) The commissioner is authorized to place a notice of the provisions of this act on all permits issued for the construction, erection, operation, use or maintenance of outdoor advertising.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Head moved that Senate Bill No. 207, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 91 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

THURSDAY, MARCH 2, 1989 -- FIFTEENTH LEGISLATIVE DAY

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 641 and have this statement entered in the Journal.

Rep. H. E. Bittle

CONSENT CALENDAR

***House Bill No. 0020** -- County Officers -- Abolishes office of constable in certain counties. Amends TCA, Title 8, Ch. 10.

***House Bill No. 0470** -- County Government -- Redefines county executive for certain purposes. Amends TCA, Title 1, Ch. 3.

House Bill No. 0062 -- Fees -- Increases sheriff's fee for waiting on grand jury in certain counties. Amends TCA 8-21-901.

On motion, House Bill No. 62 was made to conform with Senate Bill No. 17.

On motion, **Senate Bill No. 17**, on same subject, was substituted for House Bill No. 62.

***House Bill No. 0039** -- Sunset Laws -- Extends termination date of department of correction. Amends TCA, Title 3, Ch. 15; Title 4; Title 7, Ch. 51; Title 8, Ch. 7; Title 9, Ch. 6; Title 10, Ch. 7; Title 16, Ch. 1; Title 33, Chs. 3, 6, 7; Title 37, Chs. 1--4; Title 38, Ch. 6; Title 39, Chs. 5, 6; Titles 40, 41; Title 49, Ch. 4; Title 67, Ch. 4; Title 68, Ch. 11.

On motion, House Bill No. 39 was made to conform with Senate Bill No. 146.

On motion, **Senate Bill No. 146**, on same subject, was substituted for House Bill No. 39.

House Bill No. 0205 -- Sunset Laws -- Extends termination date of interstate mining compact. Amends TCA, Title 4, Ch. 29; Title 59, Chs. 8, 10.

***House Bill No. 0107** -- Drivers' Licenses -- Requires certain proof of payment of fine before operator's or chauffeur's license is restored. Amends TCA, Title 55, Ch. 7, Pt. 5.

House Bill No. 0678 -- Highway Signs -- Designates certain highways as Blue Star Memorial Highways. Amends TCA, Title 54, Ch. 5, Pt. 10.

THURSDAY, MARCH 2, 1989 -- FIFTEENTH LEGISLATIVE DAY

***House Bill No. 0058** -- Budget Procedures -- Excludes certain counties from application of the County Budget Law of 1990. Amends TCA, Title 5, Ch. 22.

House Joint Resolution No. 0017 -- General Assembly, Statement of Intent Or Position -- Endorses the findings and recommendations of the special joint study committee on the mental health services delivery system.

House Joint Resolution No. 0128 -- Memorials, Public Service -- Honors Steve West on being named Southern Industrial Development Council Volunteer of the Year.

House Joint Resolution No. 0130 -- Memorials, Sports -- Honors Sky View Junior High School cheerleaders on winning National Cheerleaders Association national championship.

Senate Joint Resolution No. 0099 -- Memorials, Sports -- Honors Coach Andy Chunn and Richland High School football team on great 1988 season.

Senate Joint Resolution No. 0100 -- Memorials, Congratulations -- Congratulates David Crockett High School band on outstanding year of competition.

OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Bill No. 20 was objected to by Rep. Hillis.

Under the rules, House Bill No. 20 was/were placed at the foot of the calendar for Monday, March 6, 1989.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Jockey), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer,

THURSDAY, MARCH 2, 1989 -- FIFTEENTH LEGISLATIVE DAY

Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS.

House Bill No. 0785 -- Blount County -- Gives general sessions courts domestic relations jurisdiction. Amends Chapter 345, Private Acts of 1947 as amended.

Senate Amendment No. 1

Amend House Bill 785 by adding the following to the end of the amendatory language of Section 1:

When the general sessions court of Blount County is exercising the domestic relations jurisdiction conferred by this or any other act, the clerk and master of Blount County shall serve as clerk of such general sessions court.

Rep. Anderson moved that the House concur in Senate Amendment(s) No(s). 1 on House Bill No. 785, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moquin (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas.

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Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. West moved that the rules be suspended for the purpose of recalling Senate Joint Resolution No. 103 from the Calendar and Rules Committee for immediate consideration, which motion prevailed.

Senate Joint Resolution No. 0103 -- Memorials, Personal Achievement -- Honors Juli A. Mosley.

On motion of Rep. West, the resolution was concurred in by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

THURSDAY, MARCH 2, 1989 -- FIFTEENTH LEGISLATIVE DAY

House Bill No. 296: Rep(s). Burnett added as prime sponsor(s).

House Bill No. 297: Rep(s). Burnett added as prime sponsor(s).

House Bill No. 298: Rep(s). Burnett added as prime sponsor(s).

House Bill No. 299: Rep(s). Burnett added as prime sponsor(s).

House Bill No. 629: Rep(s). Armstrong, Halteman, Peroulas and Stamps added as prime sponsor(s).

House Bill No. 641: Rep(s). Peroulas added as prime sponsor(s).

House Bill No. 868: Rep(s). West added as sponsor(s).

House Joint Resolution No. 128: Rep(s). Naifeh added as prime sponsor(s).

SIGNED
March 2, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 906; and House Joint Resolution(s) No(s). 126.

MESSAGE FROM THE SENATE
March 2, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1183; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 2, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 906; also, House Joint Resolution(s) No(s). 126; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MARCH 2, 1989 -- FIFTEENTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

March 2, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 10; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 2, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 14, 106, 110, 112, 114 and 117; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 2, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 199, 555, 609 and 635; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0199 -- Correctional Programs -- Permits pre-trial detainees to receive sentence reduction credits for good behavior. Amends TCA 41-21-236.

*Senate Bill No. 0555 -- Equalization Board -- Permits withdrawal of complaint and appeal prior to issuance of final order. Amends TCA, Title 67, Ch. 5.

*Senate Bill No. 0609 -- Budget Procedures -- Exempts certain counties from County Budget Law of 1990. Amends TCA, Title 5, Ch. 22. Repeals TCA, Title 5, Ch. 22.

*Senate Bill No. 0635 -- County Officers -- Enacts "County Officials Certificate Training Program Act". Amends TCA, Title 8.

THURSDAY, MARCH 2, 1989 -- FIFTEENTH LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR
March 2, 1989

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill(s) No(s). 68 and 98, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

SIGNED
March 2, 1989

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1183.

ENGROSSED BILLS
March 2, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 58, 60, 107, 205, 254, 470, 471, 629, 641, 651 and 678; and House Joint Resolution(s) No(s). 17, 128 and 130; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 2, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 906; and House Joint Resolution(s) No(s). 126; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS
March 2, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 10; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

THURSDAY, MARCH 2, 1989 -- FIFTEENTH LEGISLATIVE DAY

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
March 2, 1989**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1435, 1437 and 1439.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 2, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 6, 1989: House Bill(s) No(s). 190 and 191; House Joint Resolution(s) No(s). 40, 134, 135 and 136; and House Bill(s) No(s). 1435, 1437 and 1439.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
March 2, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, March 6, 1989: House Bill(s) No(s). 978, 53, 499, 630 and 104.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
March 2, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, March 8, 1989: House Bill(s) No(s). 1249 and 9.

PHILLIPS, Chairman.

THURSDAY, MARCH 2, 1989 -- FIFTEENTH LEGISLATIVE DAY

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

On motion of Rep. Naifeh, the House adjourned until 5:00 p.m., Monday, March 6, 1989.